

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 253

February 4, 2009

SUMMARY OF BILL: Adds violations for failure to drive on the right half of the road and unlawfully overtaking and passing another vehicle to current violations which are penalized as Class A misdemeanors if another person is killed and as Class B misdemeanors if another person is seriously injured.

ESTIMATED FISCAL IMPACT:

Increase State Revenue - \$13,300

Increase State Expenditures – Not Significant

Increase Local Revenue - \$700

Increase Local Expenditures – Not Significant

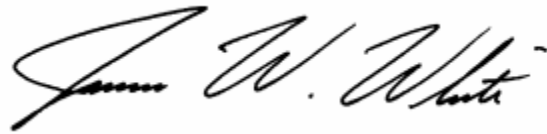
Assumptions:

- According to the Department of Safety (DOS), these violations are already being posted to driver's records. As a result, any increase to state or local government expenditures is considered not significant.
- The fines assessed as a result of this bill are supplementary to the fines which are assessed under current law.
- DOS estimates the total number of convictions for the two violation types that result in serious bodily injury to another to be 50 per year; violations resulting in death to another are estimated to be 10 per year.
- Pursuant to T.C.A. § 55-8-197(c)(1), the fine for a Class B misdemeanor that results in serious bodily injury to another is \$250.
- Pursuant to T.C.A. § 55-8-197(c)(2), the fine for a Class A misdemeanor that results in death of another is \$500.
- The increase of fine revenue is estimated to be \$17,500 per year $[(50 \times \$250) + (10 \times \$500) = \$17,500]$.
- Twenty percent will not pay fines due to indigence.
- Five percent of fine revenue is retained by local government as commission.

- The increase to state revenue is estimated to be \$13,300 per year ($\$17,500 \times 80\% \times 95\% = \$13,300$).
- The increase to local government revenue is estimated to be \$700 per year ($\$17,500 \times 80\% \times 5\% = \700).

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/rnc